Appl. No. 10/767,329
Amdt. dated October 13, 2005
Reply to Office action of August 4, 2005

<div align="center">REMARKS</div>

Restriction Election:

Applicants affirm election of Group 1, claims 1-8 and 21-24.

Rejection of the claims under 35 USC §102:

Claims 1 and 3-8 have been rejected under 35 U.S. C. 102(b) as being anticipated by
EP0335133 ('133). Applicants have amended the claims to obviate the rejection.
Specifically, Applicants have amend the claims to cite a the more narrow term "detergent"
rather than a broader term "surfactant". Applicants have defined the term surfactant to
include both lipids and detergents on page 13 line 28 to page 14 line 2. Applicants have
defined detergent as a amphipathic compound that is soluble in water on page 14 lines 3-5.
'133 teaches a peptide-lipid composition but does not teach a peptide-detergent composition.
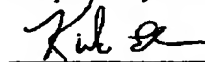

Rejection of the claims under 35 USC § 103:

Claims 1-4, 6-8, 21-22 and 24 have been rejected under 35 U.S.C. 103(a) as being unpatentable
over Zelphati et al. in view of Maa et al. Applicants have amended the claims as described above
in response to the § 102 rejection to obviate the rejection.
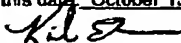

Claims 1, 3-8 and 21-24 have been rejected under 35 U.S.C. 103(a) as being unpatentable of
US2003/0054007 ('007) in view of Maa et al. Applicants have amended the claims as described
above in response to the § 102 rejection to obviate the rejection.

The Examiner's objections and rejections are now believed to be overcome by this response to
the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims
1-8 and 21-24 should be allowable.

Respectfully submitted,

[signature]

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<div align="center">3</div>